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Attorneys for Defendant
ALLSTATE INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BIJAN KHOJASTEH,
Plaintiff,

vs.

ALLSTATE INSURANCE COMPANY
and DOES 1 through 20, inclusive,
Defendants.

No. CV 08 5743 MHP

**STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING AMOUNT IN
CONTROVERSY**

*** AS AMENDED BY COURT**

The parties to this action stipulate as follows:

1. Plaintiff Bijan Khojasteh has thoroughly investigated the basis for his damages claims against Allstate Insurance Company in this action. Based on this thorough investigation, plaintiff expressly waives all claims against Allstate in this action in excess of \$75,000,

1 exclusive of costs. In light of this waiver, the parties agree that this action does not seek
2 damages of any kind in excess of \$75,000.

3 2. The parties further agree, in view of the stipulation set forth in Paragraph 1, that
4 this case should be remanded to Marin County Superior Court for further proceedings under
5 Case No. CIV085639, pursuant to 28 U.S.C. section 1332.

6 3. The parties further agree that they shall bear their own attorneys' fees and costs
7 associated with the removal and remand of this action.

8 IT IS SO STIPULATED.

9 Dated: April 24, 2009

MORTON, LULOFS & WOOD, LLP

11 By /s/ LARRY E. LULOFS
12 LARRY E. LULOFS

13 Attorney for Plaintiff
14 BIJAN KHOJASTEH

15 Dated: April 24, 2009

SONNENSCHN NATH & ROSENTHAL LLP

17 By /s/ JEFFRY BUTLER
18 JEFFRY BUTLER

19 Attorneys for Defendant
20 ALLSTATE INSURANCE COMPANY

21 FILER'S ATTESTATION:

22 Pursuant to General Order No. 45, section X(B), regarding signatures, I attest under
23 penalty of perjury that I obtained Larry Lulofs' concurrence in the filing of this stipulation.
24

25 Dated: April 24, 2009

26 By: /s/ JEFFRY BUTLER
27 JEFFRY BUTLER

ORDER

The Court, having reviewed the parties' Stipulation Regarding Amount In Controversy, and good cause appearing therefor, hereby adopts the Stipulation and remands the case to the Superior Court. **The Clerk of Court shall transmit a certified copy of this order to the Clerk of the Superior Court for the County of Marin forthwith.**

It is so ORDERED:

Dated: April 30, 2009



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